

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE ALHAMBRA, CALIFORNIA 91803-1331 Telephone: (626) 458-5100 http://dpw.lacounty.gov

ADDRESS ALL CORRESPONDENCE TO: P.O. BOX 1460 ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-5

April 17, 2007

The Honorable Board of Supervisors County of Los Angeles 383 Kenneth Hahn Hall of Administration 500 West Temple Street Los Angeles, CA 90012

Dear Supervisors:

STREET LIGHTING DISTRICTS
ANNEXATION OF TERRITORY TO
COUNTY LIGHTING MAINTENANCE DISTRICT 10049 AND
NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES
APPROVED TENTATIVE SUBDIVISION TERRITORY
CITY OF INDUSTRY
SUPERVISORIAL DISTRICT 1
3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

- 1. Find that the following actions are categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
- 2. Adopt the enclosed Resolution Ordering Annexation of Approved Tentative Subdivision Territory to County Lighting Maintenance District 10049, whose territory is located in the City of Industry, and identified on the attached Appendix A and diagram.
- 3. Adopt the enclosed Joint Resolution Approving and Accepting the Negotiated Exchange of Property Tax Revenues resulting from the annexation of territory to County Lighting Maintenance District 10049, as approved by the City of Industry and other nonexempt taxing agencies. The annexation and the exchange of property tax revenue shall not become effective unless the County Assessor approves the legal descriptions for the annexation areas as to definiteness and certainty and, when legally required, the final subdivision maps are approved and recorded with the Registrar-Recorder of the County of Los Angeles.

The Honorable Board of Supervisors April 17, 2007 Page 2

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

These recommended actions are for your Board to approve the annexation of subdivision territory into County Lighting Maintenance District 10049 for street lighting purposes and the exchange of property tax revenues among the County of Los Angeles, the City of Industry, and other nonexempt agencies whose service areas are subject to the jurisdictional change. It is necessary for your Board to approve the enclosed Joint Resolution pursuant to Section 99.01 of the Revenue and Taxation Code in order to proceed with the annexation of territory to the District 10049. The respective governing bodies of the affected taxing entities have also adopted the Joint Resolution.

The City of Industry Municipal Code requires the installation of a street lighting system by a developer. The proposed annexation and exchange of property tax revenues are required to provide the necessary funding for the operation and maintenance of the street lights.

Implementation of Strategic Plan Goals

These actions are consistent with the County Strategic Plan Goal of Fiscal Responsibility, as the annexation and property tax transfers provide the funding necessary for the operation and maintenance of new street lighting facilities within the annexed territory.

FISCAL IMPACT/FINANCING

Sufficient funds are included in the Fiscal Year 2006-07 budget for the District 10049 to cover the annual energy and maintenance costs of the street lights should operational charges be incurred prior to the end of Fiscal Year 2006-07.

In subsequent years, the ongoing operational costs of the street lights will be funded by a portion of the District's share of the growth of the 1 percent ad valorem property taxes, supplemented by funding from the City of Industry. The annexations will result in a minimal property tax growth transfer from the affected taxing entities including the County General Fund, County Fire Department, and the Los Angeles County Flood Control District.

The Honorable Board of Supervisors April 17, 2007 Page 3

The proposed annexation area is within a City of Industry Redevelopment Project Area (RPA). The District will receive its negotiated share of the ad valorem property taxes subsequent to the termination of the RPA.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

New developments are typically required to provide street lighting in accordance with applicable subdivision, planning, and zoning Ordinances as a condition of approval. The California Streets and Highways Code, Section 5821.3, provides that a territory owned by a subdivider subject to said Ordinance may be annexed to a lighting district, without notice and hearing. A public hearing, posting, and publishing requirements are, therefore, not required.

Section 99.01 of the Revenue and Taxation Code provides that affected agencies must approve and accept the negotiated exchange of property tax revenues by Resolution. For those agencies under the Board's jurisdiction, the Board can act on their behalf. For those agencies with their own governing boards who fail to adopt a Resolution providing for the exchange of property tax revenues, your Board can approve the exchange of property tax revenue. If the agency is a city, both the city and County must approve the exchange of property tax revenue.

The Joint Resolution Approving and Accepting the Negotiated Exchange of Property Tax Revenues has been approved by the City of Industry and other nonexempt taxing agencies and is enclosed for your consideration.

The City of Industry has executed a Resolution Granting Consent and Jurisdiction to the County of Los Angeles in the matter of the annexation of territory identified in Appendix A to County Lighting Maintenance District 10049. This Resolution is on file with Public Works.

Following your Board's approval of the Resolutions and the developer's recordation of the final subdivision map and/or the County Assessor's approval of the legal description, Public Works will file the statement of boundary changes with the State Board of Equalization as required by Section 54900 et seq. of the Government Code.

The enclosed Resolutions have been approved as to form by County Counsel.

The Honorable Board of Supervisors April 17, 2007 Page 4

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt from the provisions of the CEQA. The project is within a class of projects which has been determined not to have a significant effect on the environment and that it meets the criteria set forth in Section 15301 of the State CEQA Guidelines and Class 1(x)27 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

At such time as these recommendations may be adopted, please return one adopted copy of this letter and the signed Resolutions to Public Works. Also, please forward one adopted copy of the letter and Resolutions to the County Assessor, Ownership Services Section (Attention Soledad Osborne); and to the Auditor-Controller, Tax Section (Attention Kelvin Aikens).

Respectfully submitted,

Director of Public Works

VL:jh

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Enc. 2

cc: Chief Administrative Office

County Counsel (Adrienne Byers)

COUNTY OF LOS ANGELES BOARD OF SUPERVISORS RESOLUTION ORDERING ANNEXATION OF APPROVED TENTATIVE SUBDIVISION TERRITORY TO COUNTY LIGHTING MAINTENANCE DISTRICT 10049

WHEREAS, the City of Industry Municipal Code requires the construction of street lighting improvements for developments; and

WHEREAS, the City of Industry has executed a Resolution Granting Consent and Jurisdiction to the County of Los Angeles in the matter of annexation of territory to County Lighting Maintenance District 10049; and

WHEREAS, the Improvement Act of 1911 (Section 5821.3 of the Streets and Highways Code) provides that territory owned by the subdivider may be annexed to a lighting district if so provided by Ordinance, without notice or hearing.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, that:

SECTION 1. The Board of Supervisors hereby finds that the public interest and convenience require the operation and maintenance of the street lighting improvements within the territory proposed for annexation to County Lighting Maintenance District 10049.

SECTION 2. The Board of Supervisors hereby authorizes the annexation of territory, listed in Appendix A and whose area and boundary is described on the map attached herein, to County Lighting Maintenance District 10049.

SECTION 3. The Board of Supervisors hereby determines that the territory identified will be benefitted by the annexation to County Lighting Maintenance District 10049, and hereby orders the boundaries of said District be altered to include said benefitted territory.

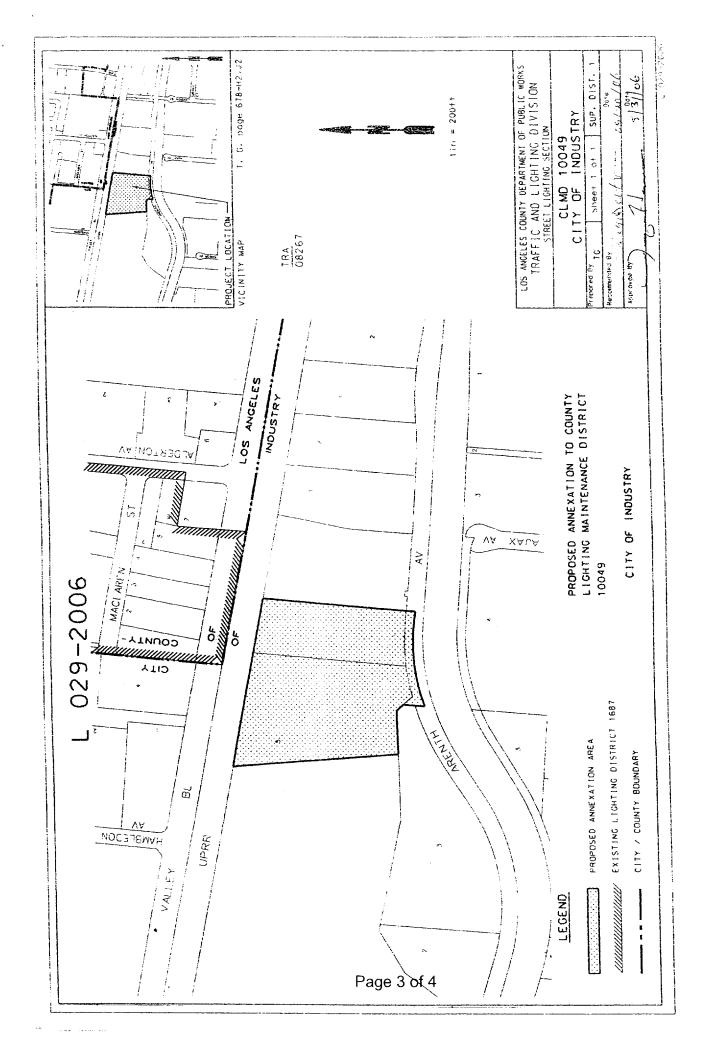
SECTION 4. The Executive Officer of the Board is hereby ordered and directed to file a certified copy of this Resolution upon its adoption with the County Assessor, Ownership Services Section (Attention Soledad Osborne); and with the Auditor-Controller, Tax Section (Attention Kelvin Aikens).

SECTION 5. Notwithstanding the foregoing, the above annexation of territory listed in Appendix A to the County Lighting Maintenance District 10049 is conditioned upon, and shall not become effective unless the legal description for the annexation area is approved as to definiteness and certainty by the County Assessor and, when legally required, the final subdivision map is approved and recorded with the Registrar-Recorder of the County of Los Angeles.

APPENDIX A

PROPOSED ANNEXATION OF APPROVED TENTATIVE SUBDIVISION TERRITORY COUNTY LIGHTING MAINTENANCE DISTRICT 10049

Subdivisio Project	Ce.	City or County Area	CLMD	Sup. Dist.	Location
L 029-20	06	City of Industry	10049	1	Arenth Avenue west of Fullerton Road



The foregoing Resolution was adopted of by the Board of Supervisors of the County of I body of all other special assessment and taxis which said Board so acts.	os Angeles and ex officio the governing
	SACHI A. HAMAI Executive Officer of the Board of Supervisors of the County of Los Angeles
	By Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR. County Counsel

Deputy

JOINT RESOLUTION OF SUPERVISORS OF THE COUNTY OF LOS ANGELES; THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY (COUNTY SANITATION DISTRICT NO. 21); THE CITY COUNCIL OF THE CITY OF INDUSTRY; THE BOARD OF DIRECTORS OF THE ROWLAND WATER DISTRICT; AND THE BOARD OF DIRECTORS OF THE THREE VALLEY MUNICIPAL WATER DISTRICT - ROWLAND AREA APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF L 029-2006

TO COUNTY LIGHTING MAINTENANCE DISTRICT 10049

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement District, and the Los Angeles County Flood Control District; the Board of Directors of the County Sanitation District No. 21 of Los Angeles County (County Sanitation District No. 21); the City Council of the City of Industry; the Board of Directors of the Rowland Water District; and the Board of Directors of the Three Valley Municipal Water District – Rowland Area have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as L 029-2006 to County Lighting Maintenance District 10049 is as shown on the enclosed Property Tax Transfer Resolution Worksheet.

- 1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County; the Los Angeles County Flood Control Drainage Improvement District, and the Los Angeles County Flood Control District; the County Sanitation District No. 21; the City of Industry; the Rowland Water District; and the Three Valley Municipal Water District Rowland Area resulting from the annexation proposal identified as L 029-2006 to County Lighting Maintenance District 10049 is approved and accepted.
- 2. For annexation projects located within a City of Industry Community Redevelopment Project Area (RPA), County Lighting Maintenance District 10049 will not receive the negotiated share of annual tax increment (ATI) until such time as the affected RPA is terminated for purposes of receiving ATI.
- 3. For fiscal years commencing on or after July 1, 2006, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within L 029-2006 (Tax Rate Area 08267) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet.
- 4. If at any time after the effective date of this Resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency

PASSED, APPRO		ADOP	TED this_	26	_ day of	July_	_, 2006, by
	AYES:	Nine	(9)				

NOES: None

ABSENT: One (1)

ABSTAIN: None

COUNTY SANITATION DISTRICT NO. 21
OF LOS ANGELES COUNTY /

Chairperson, Board of Directors

JUL 2 6 2000

Date

RESOLUTION NO. 2165

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES; THE BOARD OF DIRECTORS OF THE COUNTY SANITATION DISTRICT NO. 21 OF LOS ANGELES COUNTY (COUNTY SANITATION DISTRICT NO. 21); THE CITY COUNCIL OF THE CITY OF INDUSTRY; THE BOARD OF DIRECTORS OF THE ROWLAND WATER DISTRICT; AND THE BOARD OF DIRECTORS OF THE THREE VALLEY MUNICIPAL WATER DISTRICT - ROWLAND AREA APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF L 029-2006 TO COUNTY LIGHTING MAINTENANCE DISTRICT 10049

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district proving one or more services to an area where those services have not previously been provided by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting on behalf of the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County, the Los Angeles County Flood Control Drainage Improvement District, and the Los Angeles County Flood Control District; the Board of Directors of the County Sanitation District No. 21 of Los Angeles County (County Sanitation District No. 21); the City Council of the City of Industry; the Board of Directors of the Rowland Water District; and the Board of Directors of the Three Valley Municipal Water District - Rowland Area have determined that the amount of property tax revenue to be exchanged between their respective agencies as a result of the annexation proposal identified as L 029-2006 to County Lighting Maintenance District 10049 is as shown on the enclosed Property Tax Transfer Resolution Worksheet.

SECTION 1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County; the Los Angeles County Flood Control Drainage Improvement District, and Los Angeles County Flood Control District; the County Sanitation District No. 21; the City of Industry; the Rowland Water District; and the Three Valley Municipal Water District - Rowland Area resulting from the annexation proposal identified as L 029-2006 to County Lighting Maintenance District 10049 is approved and accepted

SECTION 2 For annexation projects located within a City of Industry Community Redevelopment Project area (RPA), County Lighting Maintenance District 10049 will not receive the negotiated share of annual tax increment (ATI) until such time as the affected RPA is terminated for purposes of receiving ATI.

SECTION 3 For fiscal years commencing on or after July 1, 2006, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within L 029-2006 (Tax Rate Area 0867) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet;

SECTION 4 If at any time after the effective date of this Resolution, the calculations used herein to determine initial property tax transfers or the date used toperform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVED AND ADOPTED this 28th day of September 2006.

John P. Ferrero, Mayor Pro Tem

ATTEST:

Jodi Sdrivens, City Clerk

APPROVED AS TO FORM:

Michele R. Vadon, City Attorney

el R. Vada

Page 4 of 11

STATE OF CALIFORNIA COUNTY OF LOS ANGELES CITY OF INDUSTRY)) ss.)	CITY CLERK'S CERTIFICATION RE: ADOPTION OF CITY RESOLUTION
I, Jodi L. Scrivens, City Clerk of Resolution No. 2165 was duly pa on September 28, 2006, by the	ssed and ado	dustry, do hereby certify that the foregoing oted at a regular meeting of the City Council, to wit:

AYES:

COUNCIL MEMBERS:

Bielec, Marcellin, Parriott,

MPT/Ferrero

NOES:

COUNCIL MEMBERS:

None

ABSENT:

COUNCIL MEMBERS:

M/Perez

ABSTAIN:

COUNCIL MEMBERS:

None

Jodi L. Scrivens, City Clerk City of Industry, California

(SEAL)

I hereby certify that the above and foregoing document is a true and correct copy of the original record on file in this office.

OCT 16 2006

Jodi L. Scrivens, City Clerk

City of Industry

- 1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County; the Los Angeles County Flood Control Drainage Improvement District, and the Los Angeles County Flood Control District; the County Sanitation District No. 21; the City of Industry; the Rowland Water District; and the Three Valley Municipal Water District Rowland Area resulting from the annexation proposal identified as L 029-2006 to County Lighting Maintenance District 10049 is approved and accepted.
- 2. For annexation projects located within a City of Industry Community Redevelopment Project Area (RPA), County Lighting Maintenance District 10049 will not receive the negotiated share of annual tax increment (ATI) until such time as the affected RPA is terminated for purposes of receiving ATI.
- 3. For fiscal years commencing on or after July 1, 2006, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within L 029-2006 (Tax Rate Area 08267) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet.
- 4. If at any time after the effective date of this Resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVED, AND ADOPTED this 11th day of July , 2006, by the following vote:

AYES: Directors Rowland, Lewis, Lima, Rios and Lu

NOES: None

ABSENT: None

ABSTAIN: None

ROWLAND WATER DISTRICT

Chairperson, Board of Directors

ATTEST:						
Secretary	in C					
July 11, 20 Date	006					

- 1. The negotiated exchange of property tax revenues between the County Lighting Maintenance District 10049, the County General Fund, the Consolidated Fire Protection District of Los Angeles County; the Los Angeles County Flood Control Drainage Improvement District, and the Los Angeles County Flood Control District; the County Sanitation District No. 21; the City of Industry; the Rowland Water District; and the Three Valley Municipal Water District Rowland Area resulting from the annexation proposal identified as L 029-2006 to County Lighting Maintenance District 10049 is approved and accepted.
- 2. For annexation projects located within a City of Industry Community Redevelopment Project Area (RPA), County Lighting Maintenance District 10049 will not receive the negotiated share of annual tax increment (ATI) until such time as the affected RPA is terminated for purposes of receiving ATI.
- 3. For fiscal years commencing on or after July 1, 2006, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within L 029-2006 (Tax Rate Area 08267) shall be allocated to the affected agencies as indicated in the enclosed Property Tax Transfer Resolution Worksheet.
- 4. If at any time after the effective date of this Resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVED, AND ADOPTED this <u>21st</u> day of <u>June</u>, 2006, by the following vote:

AYES: Bowcock, De Jesus, Horan, Juarez, Kuhn & Ruzicka

NOES: None

ABSENT: Lantz

ABSTAIN: None

THREE VALLEY MUNICIPAL WATER DISTRICT FOWLAND AREA

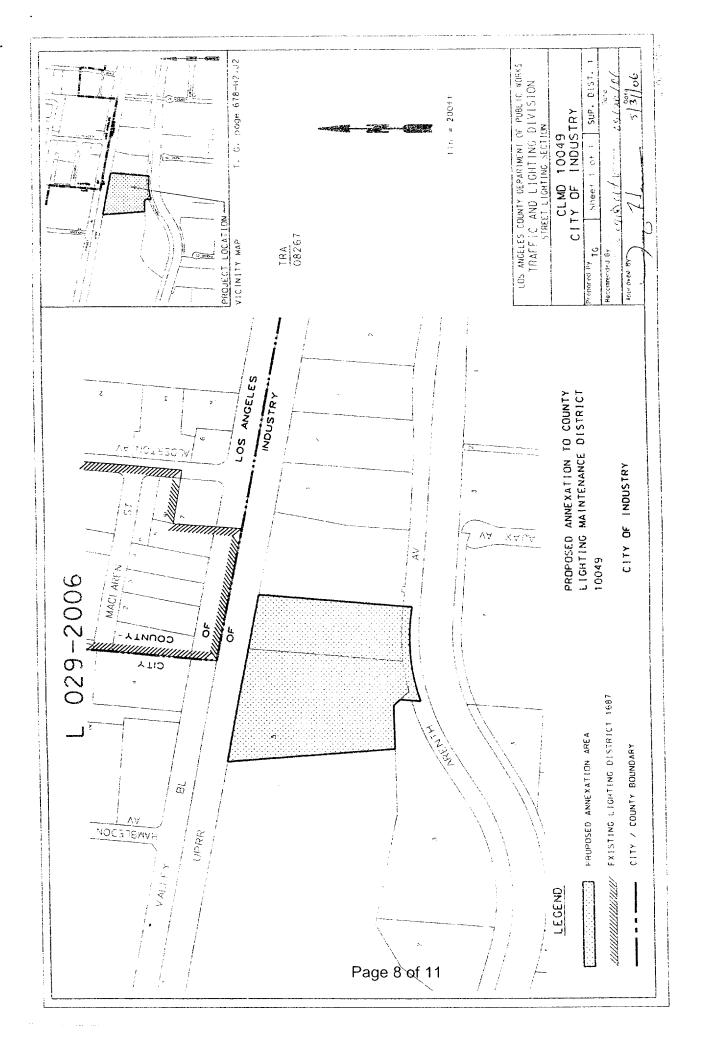
Chairperson, Board of Directors

Secretary

ATTEST:

June 21, 2006

Date



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The foregoing Resolution was adopted on the _by the Board of Supervisors of the County of Los And body of all other special assessment and taxing distribution said Board so acts.	geles and ex officio the governing
	SACHI A. HAMAI Executive Officer of the Board of Supervisors of the County of Los Angeles
	By Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR. County Counsel

Deputy()